

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

JOSE EDUARDO RODRIGUEZ VILLAFANE

DEBTOR

CASE NO 16-08564-ESL

CHAPTER 13

**NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN
AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

NOW COMES, JOSE EDUARDO RODRIGUEZ VILLAFANE, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays:

1. The debtor is hereby submitting a proposed amended Plan, dated December 7, 2016, herewith and attached to this motion.
2. This proposed amended Plan is filed to provide Adequate Protection Payments to secured creditor Banco Popular de Puerto Rico (POC 4-1).

WHEREFORE debtor respectfully requests the confirmation of the requested amended Plan, dated December 7, 2016.

I CERTIFY that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtor in the above captioned case, and to all creditors and parties in interest appearing in the master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 7th day of December, 2016.

/s/ Roberto A. Figueroa Colón
ROBERTO A. FIGUEROA COLON
USDC #300105
ATTORNEY FOR PETITIONER

FIGUEROA & SERRANO, PSC
PO BOX 1635
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Document Page 2 of 3
United States Bankruptcy Court
District of Puerto Rico, San Juan Division

IN RE:Case No. **3:16-bk-8564****RODRIGUEZ VILLAFANE, JOSE EDUARDO**Chapter **13**

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: 12/07/2016 <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ 380.00 x 60 = \$ 22,800.00 \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ <div style="text-align: right;">TOTAL: \$ 22,800.00</div> Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: _____ _____ <input type="checkbox"/> Other: _____ _____ Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____	II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input type="checkbox"/> Trustee pays secured ARREARS: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. Banco Popular de P Cr. _____ Cr. _____ # Claim 4-1 # _____ # _____ \$ 14,424.00 \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input type="checkbox"/> Debtor otherwise maintains regular payments directly to: _____ C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: <i>(Executory contracts; payment of interest to unsecureds, etc.)</i> * Debtor to provide ADEQUATE PROTECTION PAYMENTS to Banco Popular de Puerto Rico (POC 4-1) through the Trustee in the sum \$144 per month until confirmation. * Attorney Fee Provision: Trustee will pay Attorney's fees before any claim and after administrative expenses. * Late filed claims filed by creditors will receive no distribution. * Debtor reserves the right to object claims after Plan confirmation.
III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,758.00	
Signed: <u>/s/ JOSE EDUARDO RODRIGUEZ VILLAF</u> Debtor _____ Joint Debtor	

Attorney for Debtor **Figueroa & Serrano, PSC**Phone: **(787) 744-7699**

Label Matrix for local noticing
0104-3
Case 16-08564-ESL13
District of Puerto Rico
Old San Juan
Wed Dec 7 14:17:35 AST 2016

ORIENTAL BANK
CENTRALIZED COLLECTION UNIT
BANKRUPTCY DIVISION
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SAN JUAN, PR 00936-4745

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Jose V Toledo Fed Bldg & US Courthouse
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

Banco Popular de Puerto Rico
Bankruptcy Department
PO Box 366818
San Juan, PR 00936-6818

Banco Santander Puerto Rico
PO Box 362589
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End of Label Matrix
Mailable recipients 15
Bypassed recipients 0
Total 15